

A bill to provide for incorporating charitable benevolent and scientific companies or societies; read second time, and, on motion of Mr. Wallace, referred to the committee on the Judiciary.

A bill to quiet the land titles of those claiming lands under patents issued by the Republic of Texas, by the State of Texas, and titles issued to colonists, settlers, or citizens before the act of the late consultation closing the Land Office in November, 1835, under the colonization laws of the Government of Mexico and the State of Coahuila and Texas as head-rights of families and to single men, when the title issued for one league and labor of land or less; read and referred, on motion of Mr. Gage, to a Select committee of five.

Messrs. Gage, Wallace, Latimer, Pease and Portis were appointed said committee.

On motion of Mr. Latimer, a bill making an appropriation to defray the expense incurred in publishing the proposed amendment to the constitution was taken up; read third time and passed.

A bill for the relief of Mercer's colony was read.

Mr. Gage moved to lay the bill on the table; lost.

The bill was then passed by the following vote:

Yeas: Messrs. Burleson, Grimes, Hart, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Taylor, Truit, Ward, Walker and Wallace—15.

Nays: Mr. Gage—1.

A bill, relative to the proof of the statute and common law of the States and territories of the United States; read second time, and, on motion of Mr. Wallace, referred to the committee on the Judiciary.

A bill to quiet land titles issued to colonists, previous to Nov., 1835, in the colonies of Austin, De Witt and De Leon; read second time, and, on motion of Mr. Parker, referred to the committee on the Judiciary.

A joint resolution for the relief of the citizens of Jasper county, together with the report of the committee on Finance, was read, and, on motion of Mr. McRae, laid on the table.

On motion of Mr. Wallace, the Senate adjourned.

FRIDAY, 9 o'clock, A. M., Dec. 28, 1849.

The Senate was called to order by the President *pro tem.*—
Senators present: Messrs. Brashear, Cooke, Gage, Grimes, Hart, Latimer, McRae, Moffett, Parker, Phillips, Portis, Taylor, Tru-

it, Ward, Walker and Wallace. The journals of the preceding day were read and adopted.

Mr. Cooke presented the petition of sundry citizens of Limestone county, praying for a new county; read, and on motion of Mr. Cooke, referred to the committee on County Boundaries.

Mr. Grimes, chairman of the committee on Finance, made the following report:

The committee on Finance, to whom was referred a joint resolution instructing our Senators and Representatives in Congress to urge upon the Congress of the United States the payment of the volunteers called into service in 1849, by the Governor of this State, for the protection of the South-Western frontier, have agreed to report two joint resolutions, one asking for remuneration to the State for monies expended for forage and subsistence, and the other for pay of the company of mounted volunteers mustered into service on the 10th June, 1849, by order of the Governor, for the protection of the South-Western frontier, and recommend their passage.

Joint resolution, presenting the claims of Texas for monies advanced by the State for subsistence of volunteers mustered into service for the protection of the frontier, and asking remuneration from the Government of the United States; read first time.

Joint resolution, instructing our Senators and requesting our Representatives to urge upon the Congress of the United States the payment for services of mounted volunteers mustered into service for the protection of the South-Western frontier of Texas; read first time.

Mr. Latimer, chairman of the committee on Public Lands, to whom was referred a bill to authorize the commissioner of the General Land Office to issue a patent to Robert W. Latimer, for 640 acres of land, which originated in the Senate and passed the House with an amendment, reported the same back to the Senate and recommend that the amendment of the House be concurred in.

On motion of Mr. Gage, the report was adopted.

Mr. Phillips, chairman of the committee on the Judiciary, to whom was referred a bill providing for the collection of taxes due the late Republic of Texas, reported the same back to the Senate with the following amendments, and recommend their adoption and the passage of the bill.

Amendments.

Strike out the 4th and 5th sections, and insert: Sec. 4, Be it further enacted, That if said taxes were collectible originally in

the promissory notes of the Republic of Texas, the same may be paid in any of the liabilities of the Republic of Texas, or by paying one-fifth of the amount in gold or silver; if said taxes were originally collectible in Exchequer bills of the late Republic of Texas, the same may be paid in gold or silver or in Exchequer bills, or by paying government liabilities of the late Republic of Texas at the rate of five dollars of such liability, for one dollar in Exchequer bills.

Sec. 5, Be it further enacted, That if any person charged with taxes under the provisions of this act, shall claim to have paid the same, he shall make and subscribe an affidavit of such payment, which affidavit shall be returned by the assessor and collector of taxes, to the Treasury; the representatives of deceased persons and guardians of minors, may show payment in the same manner; and in such cases no sale of property shall be made for the taxes claimed under this act.

Strike out the word "Sheriff" wherever it occurs in the bill, except in the first section, and insert the words "assessors and collectors of taxes."

Mr. Phillips, from the same committee, reported back to the Senate a bill supplementary to an act regulating appeals to the Supreme Court in criminal cases, approved 13th May, 1846, and recommended its passage.

Mr. Phillips, from the same committee, to whom was referred a bill to quiet land titles issued to colonists, reported the same back to the Senate with a substitute for the fourth section, and recommend its adoption and the passage of the bill; Mr. Latimer dissenting.

Substitute for 4th section.

Sec. 4, Be it further enacted, That this act extends to no other titles than those issued to colonists within the limits of the colonies of Austin, of De Witt, and De Leon, for one league and labor of land or less.

Mr. Gage, chairman of the Select committee to whom was referred a bill to quiet the land titles of those claiming lands under patents issued by the Republic of Texas, by the State of Texas, and titles issued to colonists, settlers, or citizens, before the act of the late consultation closing the land offices in November, 1835, under the colonization laws of the Government of Mexico, and the State of Coahuila and Texas, as head-rights of families, and to single men where the titles issued for one league and labor of land or less, with amendments, reported a substitute for the same and recommend its adoption. Mr. Latimer dissenting.

Mr. Moffett, chairman of the committee on Engrossed Bills, made the following report :

The committee on Engrossed Bills have examined the following and find them correctly engrossed, to wit :

A bill to be entitled an act to incorporate the President and Trustees of the Guadalupe High School Association.

A bill to legalize the head-right certificates of Simon P. Barnes.

A bill to amend an act entitled an act to prescribe the time of the biennial meeting of the Legislature of the State of Texas.

A bill to incorporate the Grand and Subordinate Divisions of the Sons of Temperance.

A bill supplementary to an act entitled an act to establish and incorporate the college of De Kalb, approved, January 26th, 1839.

A bill to authorize the Commissioner of the General Land Office to issue patents on certificates issued by the Board of Land Commissioners of Robertson county under certain restrictions.

JOHN H. MOFFETT, Chairman.

Mr. Ward introduced a joint resolution instructing our Senators and requesting our Representatives in Congress to secure the passage of a law requiring the United States District Court for the District of Texas, to be held at more places than one ; read first time.

Mr. McRae introduced a bill requiring the election of county treasurers by the people ; read first time.

Mr. Gage offered the following resolution :

Resolved, That the Hon. Supreme Court be requested to inform the Senate as to the number of cases that have been brought up to the Supreme Court for adjustment, and have not been acted on ; also, the names of the counties from which they were brought.

Mr. Ward offered the following resolution :

Resolved, That from and after the 10th day of January next, the Senate will not receive any new business for legislative action during the present session, unless by a vote of two-thirds of the Senate.

Mr. Parker offered the following resolution :

Resolved, That with the concurrence of the House of Representatives the two Houses will convene in the Hall of Representatives on the first day of January next at 11 o'clock, a. m., for the purpose of electing a Senator to the Congress of the United States, to commence his services from and after the 4th of March, 1851.

A message was received from the House of Representatives through their Chief Clerk, informing the Senate that the House had passed a bill which originated in the Senate to provide for the civil organization of the counties of Presidio, El Paso, Worth, and Santa Fe, with an amendment; also, a joint resolution granting further time for the payment of government dues and the return of field notes, which originated in the Senate.

Also, that the House had passed the following bills and joint resolutions:

A bill for the relief of Lemuel M. Rodearmel;

A bill to provide for the enumeration of the inhabitants of the State of Texas for the year 1851;

A bill to locate permanently the county seat of La Baca county;

A bill making an appropriation for the *pro rata* pay of Thos. P. Anderson, deceased, surgeon in the navy of the late Republic of Texas;

A bill to permit the county of Fayette to levy and collect a special tax;

A joint resolution to procure the passage of a law by the Congress of the United States granting pensions to certain persons who suffered in the Texas revolution, or to their indigent widows and children;

A joint resolution, relative to the payment of certain volunteer companies for services rendered on the western frontier of the State of Texas;

Also, a memorial of the Legislature of the State of Texas upon the subject of expenses incurred by the State in providing a military defence upon her frontier in 1848 and 1849; which were severally read first time.

Also, that the House had appointed Messrs. Bee, Williams and Jowers a committee to take into consideration that portion of the Governor's message, relative to quieting the land titles west of the Nueces river, and request the appointment of a similar committee on the part of the Senate;

Also, that the House had adopted the following resolution:

Resolved, (if the Senate concur), That the two Houses in joint session will, on Thursday next, count the votes for Commissioner of the General Land Office on the 6th of August last, and the person having the highest number of votes and being constitutionally eligible, shall be declared by the Speaker to be the Commissioner of the General Land Office from and after the 28th day of February next for the term of two years.

ORDERS OF THE DAY.

A bill to incorporate the President and Trustees of the Guadalupe High School Association; read third time and passed by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, Latimer, McRae, Moffett, Parker, Phillips, Portis, Taylor, Truit, Ward, Walker and Wallace—16.

Nays: Messrs. Hart and Pease—2.

A bill to legalize the head-right certificate of Simon P. Barnes; read third time and passed.

A bill to authorize the Commissioner of the General Land Office to issue patents on certificates issued by the board of Land Commissioners of Robertson county under certain restrictions; read third time and passed.

A bill supplementary to an act entitled an act to establish and incorporate the College of DeKalb, approved January 26, 1839; read third time and passed by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Taylor, Truit, Ward, Walker and Wallace—18.

Nays: None.

A bill to incorporate the Grand and Subordinate Divisions of the Sons of Temperance; read third time and passed by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Taylor, Truit, Ward, Walker and Wallace—18.

Nays: None.

A bill to amend an act entitled an act to prescribe the time of the biennial meeting of the Legislature of the State of Texas; read third time and rejected by the following vote:

Yeas: Messrs. Burleson, Gage, Kinney, Moffett, Pease, Portis, Taylor, Truit and Ward—9.

Nays: Messrs. Brashear, Cooke, Grimes, Hart, Latimer, McRae, Parker, Phillips, Walker and Wallace—10.

A joint resolution for the relief of Jacob Allbright; read second time and ordered to be engrossed by the following vote:

Yeas: Messrs. Brashear, Burleson, Cooke, Gage, Grimes, Hart, Kinney, McRae, Moffett, Parker, Phillips, Truit, Walker and Wallace—14.

Nays: Messrs. Latimer, Pease, Portis, Taylor and Ward—5.

A bill for the relief of the citizens of Peters' colony, together with the report of the committee on Public Lands offering amend-

ments thereto, was read; amendments adopted, and bill ordered to be engrossed.

A message was received from the House of Representatives, informing the Senate that the House refuse to adopt the substitute of the Senate for a bill to amend the 6th, 7th and 9th sections of an act authorizing and requiring the county courts to regulate roads, appoint overseers, &c., approved March 15th, 1846.

A bill to amend the first section of an act to create the county of Anderson, approved March 24, 1846; read second time, and, on motion of Mr. Parker, referred to the committee on County Boundaries.

A bill to enforce and carry out the judgments and decrees of the courts of the State, and to provide for the issuance of certificates and patents in certain cases; read second time, and, on motion of Mr. Phillips, referred to the committee on the Judiciary.

The Senate adopted the resolution of the House to count the votes for Commissioner of the General Land Office, &c.

On motion of Mr. Pease, a bill to provide for the civil organization of the counties of Presidio, El Paso, Worth and Santa Fe, together with the amendment of the House, was laid on the table.

The Senate insisted on their substitute for a bill to amend the 6th, 7th and 9th sections of an act authorizing and requiring the county courts to regulate roads, appoint overseers, &c., approved March 15, 1846.

Mr. Moffett asked leave to be excused from serving on the committee on the Judiciary; leave was granted.

Mr. Parker moved that Mr. Moffett be added to the committee on Private Land Claims; lost.

Mr. Burleson presented the petitions of John E. Linn and of Augustus Bess; which were, on motion of Mr. Burleson, referred to the committee on Public Lands, without reading.

Mr. Latimer offered the following resolution:

Resolved, That the committee on Contingent Expenses be instructed to report to the Senate what amount of the \$5000 appropriated to defray the contingent expenses of the present Legislature has been used and for what purposes.

On motion of Mr. Latimer, the Senate adjourned.